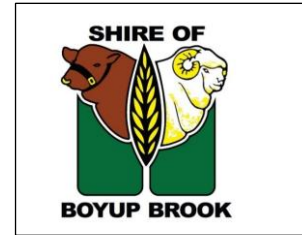


Date: 5 June 2026

To: Shire President  
Deputy Shire President  
Councillors  
Community



### **Notice of Agenda – Special Council Meeting**

A Special Council Meeting of the Shire of Boyup Brook will be held in the Council Chambers on 10 June 2026 at 8:00am to consider the matters set out in the attached agenda.

A handwritten signature in black ink, appearing to read "Long", is written in a cursive style.

Leonard Long  
Chief Executive Officer

# Shire of Boyup Brook Corporate Values



## Proactive

Embrace creativity, adaptability and continuous improvement seeking new ideas and solutions to address challenges and seize opportunities to ensure sustainability.



## Leadership & Teamwork

Lead through collaboration, promote diversity, have pride in our work and partner with the community to achieve shared visions and aspirations.



## Accountability & Integrity

Demonstrate respect, transparency, honesty and inclusivity in all interactions with the community.



## Commitment

Build and share knowledge, act professionally and develop relationships that make a positive contribution to our community.



## Engaging Community

Show respect, understanding and compassion for others and work collaboratively with community for better outcomes.



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## Agenda

### 1. Declaration of Opening

The Presiding Member declared the meeting open at ...am.

Welcome to all Councillors, staff and members of the public in attendance.

Acknowledgement of Traditional Custodians

We acknowledge the Kaniyang people as the Traditional Custodians of the land on which we meet.

We pay our respects to Elders past, present and emerging.

Please ensure that mobile phones are switched off or placed on silent for the duration of the meeting.

This meeting will be audio recorded and made available for public access on the Shire website.

Members of the public are reminded that no other visual or audio recording of this meeting is allowed without the permission of the Presiding Member.

Councillors are reminded to declare any conflict of interest as they arise in accordance with the *Local Government Act 1995*.

### 2. Record of Attendance

#### 2.1 Attendance

Shire President	Cr Helen O’Connell
Deputy Shire President	Cr Darren King
Councillors	Cr David Inglis
	Cr Michael Wright
	Cr Philip Moore
	Cr Helen Hack
	Cr John Matthews

#### **Council Officers**

Chief Executive Officer	Leonard Long
Executive Officer	Magdalena Le Grange
Executive Manager Corporate Services	Carolyn Mallett
Executive Manager Operational Services	Jason Forsyth
Manager Financial Services	Malcolm Armstrong
Manager Community Services	Nicola Jones

## **Observers / Public Members**

### **2.2 Apologies**

### **2.3 Approved Leave of Absence** Nil

### **2.4 Requests for Leave of Absence**

## **3. Public Question Time**

- a. Public Question Time provides the public with an opportunity to put questions to the Council. Questions should only relate to the business of the Council and should not be a statement or personal opinion.
- b. During the Council meeting, after Public Question Time no member of the public may interrupt the meetings' proceedings or enter into conversation.
- c. Whenever possible questions should be submitted in writing at least 48 hours prior to the start of the meeting.
- d. All questions should be directed to the Presiding Member and only questions relating to matters affecting Council may be answered at an Ordinary Council Meeting and at a Special Council Meeting only questions that relate to the purpose of the meeting may be answered. Questions may be taken on notice and responded to after the meeting at the discretion of the Presiding Member.
- e. The Presiding Member will control Question Time and ensure each person wishing to ask a question states their name and address before asking the question. If the question relates to an item on the agenda the item number should also be stated. In general persons seeking to ask questions will be given two (2) minutes within which to address their question to Council. The Presiding Member may shorten or lengthen this time at their discretion.

### **3.1 Response to Previous Public Questions Taken on Notice** Nil

### **3.2 Public Question Time**

## **4. Declarations of Interest**

### **4.1 Financial and / or Proximity Interest**

### **4.2 Disclosures of Impartiality Interest that may cause Conflict**

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## 5. Reports of Officers

### 5.1 Chief Executive Officer

<b>5.1.1 Proposed budget amendment to allow urgent repairs at the swimming pool</b>	
<b>File Ref:</b>	Building and Assets/Sporting/Swimming Pool and Gym
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number:</b>	5.1.1A Leak Detection Report

<p><b>Moved:</b> ..... <b>Seconded:</b> .....</p> <p><b>Officer Recommendation CM 26/06/...</b></p> <p><b>That Council:</b></p> <p><b>1. Authorise the following amendment to the 2025/2026 adopted budget, to redirect funds from the Rylington Park Community Projects Reserve and the Building Reserve, to Pool Facilities Upgrades, to facilitate urgent leak repairs and repainting works at the Boyup Brook Swimming Pool:</b></p> <table border="1"> <thead> <tr> <th>Account</th> <th>Description</th> <th>Increase</th> <th>Decrease</th> </tr> </thead> <tbody> <tr> <td>1300102198</td> <td>Transfer from Reserve – Rylington Park Community Project Reserve</td> <td></td> <td>-\$100,000</td> </tr> <tr> <td>1300102198</td> <td>Transfer from Reserve - Building Reserve</td> <td></td> <td>-\$100,000</td> </tr> <tr> <td>1112405320</td> <td>Pool Facilities Upgrade</td> <td>\$200,000</td> <td></td> </tr> </tbody> </table> <p style="text-align: right;">..... <b>For:</b> <b>Against:</b></p>	Account	Description	Increase	Decrease	1300102198	Transfer from Reserve – Rylington Park Community Project Reserve		-\$100,000	1300102198	Transfer from Reserve - Building Reserve		-\$100,000	1112405320	Pool Facilities Upgrade	\$200,000	
Account	Description	Increase	Decrease													
1300102198	Transfer from Reserve – Rylington Park Community Project Reserve		-\$100,000													
1300102198	Transfer from Reserve - Building Reserve		-\$100,000													
1112405320	Pool Facilities Upgrade	\$200,000														

### Summary

The purpose of this report is to seek Council approval for a budget amendment to undertake urgent leak repairs and repainting works at the Boyup Brook Swimming Pool.

A leak detection and condition assessment undertaken by Distinctive Pools identified significant leakage through the pool control joints,

particularly in the dive bowl area, together with widespread deterioration of the existing pool paint coating. The report recommends repair of all pool control joints and undertaking cosmetic repairs in conjunction with the leak repair works.

A quotation has been obtained for the repair of pool control joints and repainting of the pool shell. While the consultant also identified deterioration of the pool coping and waterline tiles, those works are not proposed as part of the current budget amendment and will be assessed separately.

## **Background**

The Boyup Brook Swimming Pool is an important community recreation asset providing opportunities for swimming, fitness, recreation and community engagement.

The facility was originally constructed in 1971 and underwent significant upgrades in 2004. The pool continues to be heavily utilised by residents, schools, sporting groups and visitors.

Recent investigations were commissioned following concerns regarding ongoing water loss and the condition of the pool surface.

Distinctive Pools undertook a leak detection and condition assessment of the facility and subsequently provided a report and budget quotation for recommended remediation works.

## **Report Detail**

The Distinctive Pools inspection found that the pool remains generally serviceable, with no evidence of significant structural failure identified during the inspection.

The report identified that:

- Pool control joints are leaking, particularly in the dive bowl area.
  - Groundwater testing near the dive bowl indicated traces of chlorine, supporting the conclusion that leakage is occurring.
  - The existing internal pool paint is bubbling, cracking and peeling in numerous locations.
  - Waterline tiles are cracked, missing and deteriorated in multiple locations.
  - Pool returns, gutters and balance tank penetrations showed no evidence of leakage.
  - The balance tank was assessed as being in generally serviceable condition.
-


The consultant concluded that the most significant source of water loss is the failure of the control joints and recommended repair of all control joints.

The consultant further recommended that repainting works be undertaken concurrently with the leak repairs to maximise efficiency and restore the protective coating system.

The quotation also includes replacement of waterline tiles and coping, however officers do not recommend including these works in the current budget amendment. While the leak detection report notes deterioration of the coping and tiles, the pool remains operational and officers consider that a separate assessment should be undertaken to determine the most appropriate long term treatment option and timing for those works.

Approval of the proposed budget amendment will allow the Shire to address the identified leakage issue and undertake repainting works necessary to protect and extend the service life of the pool.

### Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	<b>Key Imperatives</b>	<b>Built Environment</b>
	<b>Outcome</b>	Provide sustainable infrastructure that serves the current and future needs of the community.
	<b>Objective</b>	Construct/redevelop community and sporting facilities in a manner that maximises their life span, capacity and function.

#### Other Strategic Links

Nil

#### Statutory Environment

- *Local Government Act 1995*
- *Local Government (Financial Management) Regulations 1996.*

#### Sustainability and Risk Consideration

##### Economic – (Impact on the Economy of the Shire and Region)

The proposed works will protect an important community asset and reduce ongoing water loss and future maintenance costs. Undertaking the repairs now is likely to avoid more significant expenditure in future years resulting from continued deterioration.

**Social – (Quality of life to community and / or affected landowners)**

The swimming pool is an important recreational facility for residents, schools, sporting groups and visitors. Maintaining the facility in a safe and serviceable condition supports community wellbeing, recreation and participation in physical activity.

**Policy Implications**

Nil

**Risk Management Implications**

Shire of Boyup Brook’s commitment to the identification and management of risks that may impact on the achievement of its business objectives.

Risk Level	Comment
Moderate	Failure to undertake the recommended works may result in continued water loss, increased operating costs, further deterioration of the pool shell and increased future renewal costs. The proposed repairs reduce the likelihood of accelerated asset deterioration and support continued operation of the facility.

**Consultation**

- Distinctive Pools
- Swimming Pool Manager
- Operational Services Staff.

**Resource Implications**

**Financial**

A budget amendment of \$200,000 is required to undertake the leak repair and repainting works.

The proposed budget amendment does not include pool coping replacement or waterline tile replacement.

**Workforce**

Nil

End

<b>5.1.2 Consider the ‘sale’ of the Medical Centre</b>	
<b>File Ref:</b>	A1270
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number:</b>	Nil

**Moved: ..... Seconded: .....**

**Officer Recommendation CM 26/06/...**

**That Council:**

- 1. Supports in principle the sale / transfer of the Boyup Brook Medical Services practice to a suitably qualified and experienced medical practitioner or medical practice operator, subject to legal advice and compliance with section 3.58 of the *Local Government Act 1995* (where applicable).**
- 2. Requires that any proposed sale terms include appropriate service continuity, patient records and privacy obligations in accordance with applicable Commonwealth and State legislation, employee transition, asset transfer, lease/licence, and community access protections.**
- 3. Requires a further report to be presented to Council before any final sale, transfer, lease or disposal decision is made.**

.....  
**For:**  
**Against:**

**Summary**

The purpose of this report is for Council to consider, in principle, whether the Shire should progress the sale of the Boyup Brook Medical Services practice to a suitably qualified private medical practitioner or practice operator.

The Shire has since approximately 2007 supported local access to general practice services.

While continued access to local medical services is critical to community wellbeing, the direct operation of a medical practice is not a core local government function. It carries financial, workforce, compliance, clinical governance, technology, privacy, insurance and business risks that are more

appropriately managed by a suitably qualified health practitioner or private medical practice operator.

Over the past three years the Shire has contributed, on average, approximately \$150,000 per annum of ratepayer funds to keep the practice operating. This reported loss should be understood in context. Under local government accounting arrangements, the practice is allocated costs such as building expenses, Shire administration costs and depreciation. Some building expenses may continue depending on the final sale or lease structure. A private operator may not be required to carry the same accounting allocations, particularly depreciation and internal corporate overheads, which may allow the practice to operate closer to breakeven or profitability under a private practice model.

It is therefore recommended that Council support, in principle, the sale of the practice, subject to legal advice, statutory compliance and a further report before any final decision.

### **Background**

Boyup Brook is a small rural community where access to general practice is an essential service. The Shire has historically intervened to support medical access where market conditions have made private service delivery difficult.

The Shire first took over the practice around 2007 and has been involved in the provision and support of local medical services since.

### **Report Detail**

The strategic question before Council is whether the Shire should continue to directly operate a medical practice or seek to transition the practice to a private medical practitioner or operator while preserving community access to local GP services.

Local access to primary health care remains essential. Loss of local GP services would negatively affect residents, aged residents, families, local employers, emergency service continuity and the broader liveability of the district. However, maintaining access does not necessarily require the Shire to remain the direct operator of the practice.

Direct local government operation of a medical practice presents several challenges:

- Recruitment and retention of GPs, nurses, practice managers and administration staff in a competitive rural health workforce market.

- 
- Reliance on locums or short-term arrangements when permanent practitioners are unavailable, often creating increased cost and reduced continuity of care.
  - Clinical governance, privacy, patient record, accreditation, Medicare billing, infection control and professional compliance obligations that sit outside normal local government service delivery.
  - Exposure to business risk from fluctuating appointment volumes, billing policy settings, staffing costs, technology costs, insurance and regulatory change.
  - Need for specialist operational knowledge in practice management, medical software, Medicare item numbers, patient recall systems, accreditation standards and workforce rostering.
  - Ongoing use of ratepayer funds to subsidise an activity that is more closely aligned with Commonwealth and State health responsibilities than local government core functions.

A sale or transfer to a private operator could deliver a more sustainable model if structured correctly. A medical practitioner or private practice operator would be better placed to make clinical, staffing, billing and operational decisions in a manner consistent with general practice business requirements. A private operator may also be able to access health sector incentives, professional networks, recruitment pathways and practice management arrangements that are not as readily available to a local government.

The Shire may still have an important enabling role. This may include offering a lease of premises, assisting with transition, advocating for rural health incentives, supporting engagement with Rural Health West and ensuring sale conditions protect continuity of service. The key distinction is that Council would move from being the direct operator to being an enabler and landlord/supporter of local medical access.

The Shire has contributed, on average, approximately \$150,000 per annum over the past three years to keep the practice operating. This represents a material recurring draw on ratepayer funds and should be considered in the context of Council's broader financial sustainability responsibilities.

The reported loss should be interpreted carefully because the local government accounting treatment does not necessarily mirror how a private practice operator would assess commercial performance. Under Shire accounting, the practice is allocated costs such as:



- building expenses, some of which may continue depending on ownership, lease and maintenance arrangements;
  - Shire administration and corporate overhead costs; and
-

- depreciation of relevant assets, which is a non-cash accounting expense and may not be treated in the same way by a private operator depending on the structure of the transaction.

If these local government accounting allocations were removed or treated differently, the underlying practice may be closer to breakeven and could potentially be profitable for a doctor or private operator.

A sale / transfer should therefore be positioned not simply as the disposal of an underperforming business, but as a transition from a local government accounting and subsidy model to a health-sector operating model.

### Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	<b>Key Imperatives</b>	<b>Economic Development</b>
	<b>Outcome</b>	Be a business friendly Shire and create conditions for economic growth.
	<b>Objective</b>	Partner with key stakeholders and support development of industry/business incubation, innovation and entrepreneurship using a planned approach.
	<b>Key Imperatives</b>	<b>Governance and Organisation</b>
	<b>Objective</b>	Demonstrate effective leadership, advocacy, and governance.
	<b>Outcome</b>	Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community.

### Other Strategic Links

- Public Health Plan 2026-2031 - relevant to access to health services, community wellbeing and health equity.
- Long Term Financial Plan - relevant to recurrent operating subsidies, service levels and financial sustainability.

### Statutory Environment

#### *Local Government Act 1995*

- Section 2.7 provides that Council is responsible for governing the local government's affairs and the performance of the local government's functions.
- Section 3.1 provides that the general function of a local government is to provide for the good government of persons in its district.

- Section 3.58 applies to disposing of property. If the transaction involves the sale, lease or other disposal of local government property, Council must ensure that the process complies with the statutory disposal requirements, unless an exemption applies.

### **Sustainability and Risk Consideration**

#### **Economic – (Impact on the Economy of the Shire and Region)**

Maintaining local medical services supports local employment, liveability, workforce attraction, aged care, families and local business confidence. A sustainable private practice model may improve service stability while reducing the recurring call on ratepayer funds.

#### **Social – (Quality of life to community and / or affected landowners)**

Access to a local GP is a critical social and community wellbeing issue. Any sale / transfer process must protect continuity of care and minimise disruption for patients, staff and the broader community.

#### **Policy Implications**

Nil

#### **Risk Management Implications**

Shire of Boyup Brook’s commitment to the identification and management of risks that may impact on the achievement of its business objectives.

<b>Risk Level</b>	<b>Comment</b>
<b>Moderate</b>	There is reputational risk if the community perceives the proposal as a withdrawal from health services. Communication should emphasise that the objective is to secure a more sustainable model and maintain local access to GP services.

#### **Consultation**

Should Council support the proposed recommendations the Shire Attorneys will be consulted.

#### **Resource Implications**

##### **Financial**

The Shire has contributed, on average, approximately \$150,000 per annum over the past three years to support the continued operation of the practice. Reducing or removing this recurrent subsidy would improve

Council's long-term financial position, subject to any continuing building ownership, maintenance, lease or support arrangements.

### **Workforce**

A sale or transfer may affect Shire employees currently associated with the practice. Employee consultation, transfer arrangements, accrued entitlements and workforce continuity will need to be addressed.

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End

## **6. Closure**

There being no further business the meeting closed at ...am.

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Presiding Member

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Date

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